

## CALIFORNIA LEGISLATURE

2017–18 REGULAR SESSION

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# SENATE DAILY JOURNAL

ONE HUNDRED THIRTY-FOURTH LEGISLATIVE DAY

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## IN SENATE

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Senate Chamber, Sacramento  
Tuesday, January 16, 2018

The Senate met at 2:16 p.m.

Hon. Connie M. Leyva, of the 20th District, presiding.

Secretary Daniel Alvarez at the Desk.

Assistant Secretary Zachary L. Twilla reading.

### PROCEEDINGS UNDER QUORUM CALL OF THE SENATE

#### ROLL CALL

The roll was called and the following Senators answered to their names:

Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Portantino, Roth, Skinner, Stone, Vidak, Wieckowski, Wiener, and Wilk—37.

Quorum present.

*(NOTE: Senators De León and Stern will be excused this day on legislative business. Senator Mendoza will be excused this day on personal business.)*



**PRAYER**

Upon invitation of the President, the following prayer was offered by Rev. Lucy Bunch, Unitarian Universalist Society of Sacramento:

*Holy Spirit, known by many names and beyond all names.*

We ask Your blessings on the people who have been called to lead in our state.

We ask that love be their ground of being and action. Remind them that, everyone—all races, creeds, religions, sexual and gender orientations—is our neighbor, our sibling. Help them to remember to respect and protect the least of those among us—those who live on the margins, those who are alone, those who are forgotten.

Grant them and us the wisdom and courage to know and do what is good and true. Grant them the integrity to know the truth and to speak out when it is time to speak out and listen, patiently and receptively, when it is time to listen. May they always be guided by the spirit of community, by the spirit of justice, and by the spirit of love.

This we pray in the name of the divine spirit that holds and connects us all.—AMEN.

**PLEDGE OF ALLEGIANCE TO THE FLAG**

Senator Hueso led the Senate in the Pledge of Allegiance to the Flag.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, January 12, 2018

Madam President: I am directed to inform your honorable body that the Assembly on this day adopted:

ACR 139

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

The following measure was read and referred to the Committee on Rules:

**Assembly Concurrent Resolution 139**—Relative to Reverend Dr. Martin Luther King, Jr.

**REPORTS OF STANDING COMMITTEES****Committee on Rules**

Senate Chamber, January 16, 2018

Madam President: The Committee on Rules has examined:

SB 460

SJR 16

And reports the same correctly engrossed.

DE LEÓN, Chair

Senate Chamber, January 16, 2018

Madam President: The Committee on Rules has examined:

SB 691

And reports the same correctly engrossed.

DE LEÓN, Chair

**Committee on Appropriations**

Senate Chamber, January 16, 2018

Madam President: The Chair of the Committee on Appropriations, to which were referred:

SB 688

SB 695

SB 721

SB 783

SB 795

Reports the same back with the recommendation: That the above bills be ordered to second reading pursuant to Senate Rule 28.8.

LARA, Chair

Above bills ordered to second reading.

Senate Chamber, January 16, 2018

Madam President: The Chair of the Committee on Appropriations, to which were referred:

SB 522

SB 532

SB 746

SB 766

SB 816

Reports the same back with the recommendation: That the above bills be ordered to second reading pursuant to Senate Rule 28.8, and be ordered to the consent calendar.

LARA, Chair

Above bills ordered to second reading.

**MOTIONS, RESOLUTIONS AND NOTICES**

**RE-REFERENCE TO COMMITTEE**

**PURSUANT TO JOINT RULE 10.5**

Pursuant to Joint Rule 10.5, the following measure was re-referred to the Committee on Appropriations:

SB 691

**PRIVILEGES OF THE FLOOR**

**SPECIAL INTRODUCTIONS**

Senator Allen introduced Hon. Terry Friedman, Chairperson of Bet Tzedek, Jessie Kornberg, President and Chief Executive Officer of Bet Tzedek, and Sarah Jampol, Director of Development for Bet Tzedek, in honor of their visit to the California State Senate.



**INTRODUCTION AND FIRST READING OF SENATE MEASURES**

The following measures were introduced, read the first time, and transmitted to the Committee on Rules for assignment:

**Senate Bill 899:** By Senator Bradford—An act to amend Section 115 of the Labor Code, relating to workers' compensation.

**Senate Bill 900:** By Senator Wiener (Principal coauthor: Assembly Member Arambula) (Coauthors: Assembly Members Mayes and Steinorth)—An act to add Section 10072.3 to the Welfare and Institutions Code, relating to public social services.

**Senate Bill 901:** By Senator Dodd (Coauthor: Senator McGuire) (Coauthors: Assembly Members Levine and Wood)—An act to amend Sections 8386 and 8387 of the Public Utilities Code, relating to public utilities.

**CONSIDERATION OF DAILY FILE****SECOND READING OF ASSEMBLY BILLS**

**Assembly Bill 1565**—An act to amend Section 218.7 of the Labor Code, relating to employment, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

**Assembly Bill 1694**—An act to repeal Section 11004.5 of the Welfare and Institutions Code, relating to foster care, and declaring the urgency thereof, to take effect immediately.

Bill read second time and ordered to third reading.

**MOTIONS, RESOLUTIONS AND NOTICES****RE-REFERENCE TO COMMITTEE****PURSUANT TO SENATE RULE 29.10(c)**

Pursuant to Senate Rule 29.10(c), the following measures were re-referred to the Committee on Rules:

AB 1565

AB 1694

**MOTION TO SUSPEND JOINT RULE 62(a)**

Senator Lara moved that Joint Rule 62(a) be suspended for the purpose of allowing the Committee on Appropriations to meet Thursday, January 18, 2018 without two days' notice in the Daily File.

**Roll Call**

The roll was called and the motion carried by the following vote:

AYES (34)—Senators Allen, Anderson, Atkins, Bates, Beall, Berryhill, Bradford, Cannella, Dodd, Fuller, Gaines, Galgiani, Glazer, Hernandez, Hertzberg, Hill, Hueso, Jackson, Lara, Leyva, McGuire, Mitchell, Monning, Moorlach, Morrell, Newman, Nguyen, Nielsen, Pan, Roth, Skinner, Wieckowski, Wiener, and Wilk.

NOES (0)—None.



**LEAVES OF ABSENCE**

The following Senators were granted leaves of absence for the day on legislative business: Senators De León and Stern.

The following Senator was granted leave of absence for the day on personal business: Senator Mendoza.

**FURTHER PROCEEDINGS UNDER QUORUM CALL OF THE  
SENATE DISPENSED WITH**

At 2:30 p.m., on motion of Senator Cannella, further proceedings under the quorum call of the Senate were dispensed with.

**MOTION TO ADJOURN**

Senator Cannella moved that the Senate stand in recess until the hour of 3:30 p.m. The Desk shall remain open to receive communications and to conduct the business of the day. At 3:30 p.m., the Senate will adjourn until Wednesday, January 17, 2018.

Motion carried.

**MESSAGES FROM THE ASSEMBLY**

Assembly Chamber, January 16, 2018

Madam President: I am directed to inform your honorable body that the Assembly on this day passed:

AB 608              AB 666              AB 870              AB 1041

E. DOTSON WILSON, Chief Clerk of the Assembly

**FIRST READING OF ASSEMBLY MEASURES**

The following measures were read the first time and transmitted to the Committee on Rules for assignment:

**Assembly Bill 608**—An act to amend Section 1785.11.11 of the Civil Code, relating to consumer credit.

**Assembly Bill 666**—An act to add Section 13307.7 to the Elections Code, relating to elections.

**Assembly Bill 870**—An act to amend Section 1203.096 of the Penal Code, relating to prisoners.

**Assembly Bill 1041**—An act to amend Section 30923 of the Streets and Highways Code, relating to transportation.



**REPORTS OF STANDING COMMITTEES****Committee on Appropriations**

Date of Hearing, January 16, 2018

Madam President: The Committee on Appropriations, to which was referred:

SB 70

Reports the same back with the recommendation: Do pass as amended.

LARA, Chair

Above bill ordered to second reading.

**Committee on Rules**

State Capitol, January 16, 2018

Madam President: The Committee on Rules has ordered the following measures to third reading:

SCR 86

SCR 87

SCR 88

SJR 15

SR 70

SR 71

ACR 134

ACR 141

State Capitol, January 16, 2018

The Committee on Rules has referred the following measures to committee:

**Budget and Fiscal Review**—SB 840, SB 841, SB 842, SB 843, SB 844, SB 845, SB 846, SB 847, SB 848, SB 849, SB 850, SB 851, SB 852, SB 853, SB 854, SB 855, SB 856, SB 857, SB 858, SB 859, SB 860, SB 861, SB 862, SB 863, SB 864, SB 865, SB 866, SB 867, SB 868, SB 869, SB 870, SB 871, SB 872, SB 873, SB 874, SB 875, SB 876, SB 877, SB 878, SB 879.

**Education**—SB 830, SB 837.

**Governmental Organization**—SB 833.

**Insurance, Banking and Financial Institutions**—SB 824.

**Judiciary**—SB 820, SB 823.

**Natural Resources and Water**—SB 834, SB 835, SB 836.

**Rules**—SB 821, SB 822, SB 825, SB 828, SB 829, SB 832, SB 838, SB 880.

The Committee on Rules has referred the following measures to two committees:

**Energy, Utilities and Communications and Judiciary**—SB 819.

**Insurance, Banking and Financial Institutions and Judiciary**—SB 818, SB 826.

**Transportation and Housing and Governance and Finance**—SB 827, SB 831.



**Committee on Judiciary**

Date of Hearing, January 16, 2018

Madam President: The Committee on Judiciary, to which was referred:  
SR 72

Reports the same back with the recommendation: Be adopted.

JACKSON, Chair

Above resolution ordered to third reading.

**INTRODUCTION AND FIRST READING OF SENATE MEASURES  
(RESUMED)**

The following measures were introduced, read the first time, and transmitted to the Committee on Rules for assignment:

**Senate Bill 902:** By Senator Bates—An act to amend Section 11834.01 of the Health and Safety Code, relating to substance abuse.

**Senate Bill 903:** By Senator Cannella (Coauthors: Senators Berryhill and Galgiani) (Coauthors: Assembly Members Flora and Gray)—An act to add Section 99270.8 to the Public Utilities Code, relating to transportation, and declaring the urgency thereof, to take effect immediately.

**SENATE COMMITTEE ROLL CALLS****Committee on Appropriations**

**SB 70**—Do pass as amended

AYES (7)—Senators Bates, Beall, Bradford, Hill, Lara, Nielsen, and Wiener.

NOES (0)—None.

Date of Hearing: 1/16/2018

Lara, Chair

**Committee on Elections and Constitutional Amendments**

**SB 561**—Do pass as amended

AYES (4)—Senators Allen, Anderson, Hertzberg, and Leyva.

NOES (0)—None.

Date of Hearing: 1/16/2018

Anderson, Vice Chair

**Committee on Judiciary**

**SR 72**—Be adopted

AYES (4)—Senators Hertzberg, Jackson, Monning, and Wieckowski.

NOES (2)—Senators Anderson and Moorlach.

Date of Hearing: 1/16/2018

Jackson, Chair

**REQUESTS TO ADJOURN IN MEMORIAM**

Senator Allen requested that when the Senate adjourns this day it do so in memory of Michael V. Toumanoff of Los Angeles.

Senator Glazer requested that when the Senate adjourns this day it do so in memory of Jose Ramirez of Sacramento.



**ADJOURNMENT**

At 3:30 p.m., on motion of Senator Cannella, the Senate adjourned pursuant to the Senators' requests until 9 a.m., Wednesday, January 17, 2018.

NEVA MARIE PARKER, Minute Clerk

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